

RESPONSE AND ARGUMENTS

The Examiner has objected to the drawings for failing to show the BET MAX location 28 on the video screen display. Applicants have amended the specification to delete the reference numeral 28 and to indicate the BET MAX location is not shown on the drawings. There is no reference in the claims to having a BET MAX location on the video screen, thus there is no requirement that same be shown in the drawings. Applicants submit that the amendment to the specification overcomes the Examiner's objection to the drawings.

There are no amendments to the claims.

Claims 1-7 are pending in this application.

Claims 1-7 stand rejected under 35 U.S.C. 103 as being unpatentable over Holmes '774 in view of Falciglia '002.

Applicants' invention relates to a video draw poker game that includes a bonus feature determined by the cards that are dealt on the initial five card hands of the video poker game. The regular video draw game is played in the conventional manner.

This bonus feature game plays along with the video draw poker

game. The bonus game involves establishing a predetermined arrangement of cards that the player must match over the course of consecutive rounds of the video draw poker game. Depending on how many consecutive rounds of the video draw poker game must be played in order for the player to match the predetermined arrangement of cards, the player may win a bonus award.

As each round of the video draw poker game is played, the initial five cards that are dealt are compared to the predetermined arrangement of cards that the player must match. The amount of a bonus award that is paid to the player is based on the number of consecutive rounds that it takes for the player to match all of the predetermined arrangement of cards.

The Holmes '774 patent discloses a video draw poker game that also has a predetermined arrangement of cards that the player must match based on the initial five cards that are dealt during a video draw poker game. However in the Holmes disclosure, as the Examiner recognizes, there is no carryover of any cards that are matched to any subsequent rounds of play of the video draw poker game. In the Holmes disclosure, the player has one chance to match the predetermined arrangement of cards.

The Examiner proposes to modify the Holmes disclosure to provide for a carryover of matched cards over a plurality of consecutive rounds of play of video draw poker hands by relying on the disclosure in Falciglia '002.

The Falciglia '002 patent discloses a bingo game. This bingo game is played on an electronic device by a single player -- unlike conventional live bingo which is played in a large room by a plurality of players. In conventional live bingo, the bingo numbers are drawn until somebody wins by achieving a "bingo" on her bingo card. The object of the Falciglia patent is to adapt bingo to an electronic game played by a single player.

As described in the Falciglia disclosure, a bingo card in a five-by-five matrix is displayed to the player. Then five slot reels are spun a maximum of ten times. Each slot reel is aligned with a column of the five-by-five bingo card matrix. Each slot reel only has outcomes that correspond to possible outcomes on the associated column. In the preferred embodiment of the Falciglia disclosure, the winning bingo combinations are a vertical column, a horizontal row, the two five symbol diagonals and a coverall. The player must make a wager before each of the ten maximum spins.

Prior to the first spin, twelve of the twenty-five locations on the bingo card are pre-covered for the player to enhance the player's chances of winning.

Applicants' invention is directed at adding a bonus feature to a conventional video draw poker game. The Falciglia disclosure is not a bonus feature on a conventional bingo game; the Falciglia disclosure is the bingo game itself.

Applicants' invention requires that the bonus feature determination continue until the player matches all of the predetermined arrangement of cards. In the Falciglia disclosure, the game does not continue until the player matches all of the locations on the bingo card. The game ends after a preset number of spins, such as ten spins.

Applicants submit that bingo and video poker are non-analogous art. A person having ordinary skill in the art of video draw poker would not be inclined to look to the art of bingo for teachings or suggestions that would be relevant to video draw poker.

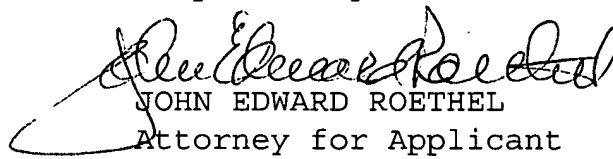
Furthermore, the combination of the Falciglia disclosure with the Holmes disclosure would not result in Holmes being modified in

the manner suggested by the Examiner. Because the Falciglia disclosure teaches or suggests a preset number of spins, such as ten spins, there is no teaching or suggestion in the prior art relied upon by the Examiner that the number of rounds of play should continue indefinitely until the player has matched all of the predetermined arrangement of cards as set out in Claim 1.

Claims 2-7 depend directly or indirectly from Claim 1 and are submitted to be allowable for the same reasons that Claim 1 is allowable.

Applicants submit that all of the claims pending in this application, Claims 1-7, are allowable over the prior art of record and the Examiner is requested to reconsider the rejection of Claims 1-7 and to find that these claims are now allowable. If the Examiner has further questions regarding this application, the Examiner is requested to call undersigned counsel.

Respectfully submitted,


JOHN EDWARD ROETHEL
Attorney for Applicant
Registration No. 28,372

2290 South Jones Blvd., #100
Las Vegas, Nevada 89146
Phone: (702) 364-1190